

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*

State Engineer,

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

UNITED STATES DISTRICT COURT
00 NOV -8 PM 3:39
FEB 22 2001
COURT CLERK'S OFFICE
ALBUQUERQUE
NEW MEXICO

69cv07941 JC

RIO CHAMA STREAM SYSTEM

Rio Gallina, Section 5

ANSWER TO COMPLAINT FOR ADJUDICATION OF WATER RIGHTS

COMES NOW ALVIN N JACQUEZ (please print your full name)
ALVIN N. JACQUEZ

and answers the complaint as follows:

<u>Subfile No.</u>	<u>Object</u>	<u>Claim No Right</u>
CHGA-03-0013	<input checked="" type="checkbox"/> A1	<input type="checkbox"/>

1. In answer to Complaint: For each subfile listed above, please initial in one of the two boxes to indicate whether you object to the description of water right(s) contained in the State's proposed Consent Order, or whether you make no claim as to the water right(s) described in the State's proposed Consent Order.

If you object to the description of water right(s) and reject the State's proposed Consent Order, or if you make no claim as to the water right(s) set forth in the State's proposed Consent Order for any of the Subfile Numbers listed above, for each such Subfile Number please explain in the appropriate spaces below.

I object to the description of the water right(s) described by Subfile Number(s) 030013 because

I own the piece shown containing 1.9 acres.
Herman Jacquez owns piece containing 1.7 acres.
Also there is a piece of irrigated land that was omitted, North of piece containing 1.9 acres.

6011

(Attach additional pages if necessary)

I made a good faith effort to resolve my disagreement with the State's proposed Consent Order by
producing The deed which shows The true ownership

See attached deed

(Attach additional pages if necessary)

I claim no right for the water right(s) described by Subfile Number(s) _____
because

(Attach additional pages if necessary)

2. I understand that by making this claim and filing this document I am not waiving my rights to later raise, in an Amended Answer, any jurisdictional or affirmative defenses I may have.

Dated: 10-26-00

Alvin N. Jacquez
(Signature - ALVIN N. JACQUEZ)

Po Box 27

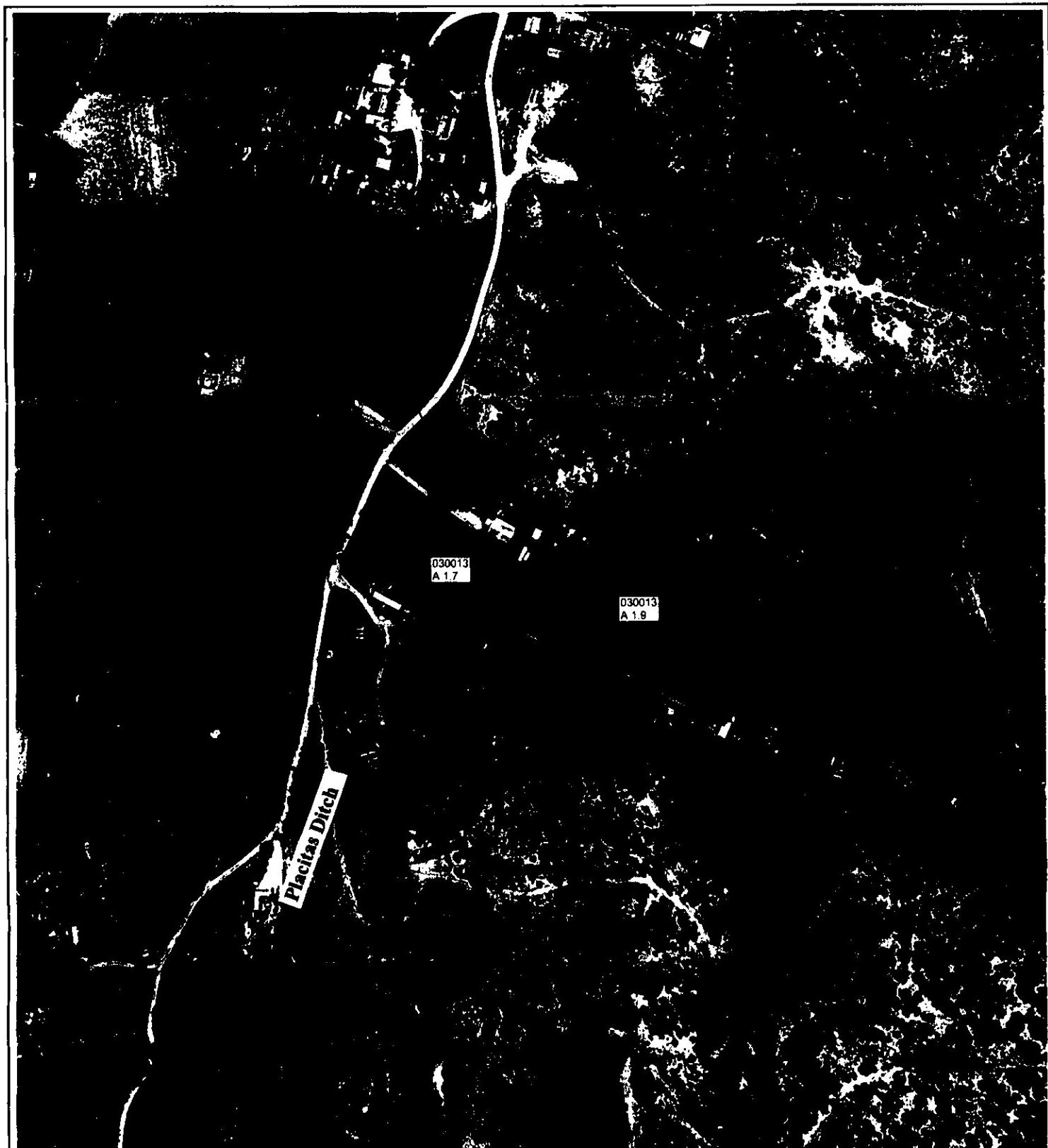
Gallina NM 87017

(Address: Print Clearly)

638-9509

(Phone Number: Print Clearly)

IMPORTANT: If you have been served with a summons and copy of the complaint in this action, or if you have waived service of process, you must file an answer in the United States District Court for the District of New Mexico by August 31, 2000. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the State's proposed Consent Order if you fail to file an answer by August 31, 2000. The court's address is: 333 Lomas NW, Suite 270, Albuquerque, NM 87102. A copy of the answer filed with the district court must also be sent to the Office of the State Engineer, Legal Services Division, P.O. Box 25102, Santa Fe, NM 87504-5102.



STATE OF NEW MEXICO Office of the State Engineer Thomas C. Turney, State Engineer	Legend — Irrigated Tract Boundary — No Right Tract Boundary → Operable Ditch → Inoperable Ditch ● Headgate Grid North	Scale 1 Inch = 300 Feet 020000	Subfile Number CHGA-030013 Placitas Ditch
Rio Chama Stream System Hydrographic Survey RIO GALLINA SECTION			

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the)
relation of the State Engineer,)
and THE UNITED STATES OF)
AMERICA,)
Plaintiffs,)
v.) No. CIV 7941-JC
RAMON ARAGON et al.) RIO CHAMA STREAM SYSTEM
Defendants) Section 5 Rio Gallina

STATEMENT OF WATER RIGHTS CLAIM

I, Alvin Jacquez, own land within the Rio Gallina stream system. I claim a water right appurtenant to _____ acres of land, which is located NORTH EAST of TRACT NO. 30013.

This land has been historically irrigated with water diverted from the acequia Placitas Ditch. The lands for which I claim water rights were omitted from the 1999 Hydrographic Survey.

Respectfully submitted,

Alvin Jacquez
PO Box 27
C.R. 415 Gallina NM

87017

638-9509

WARRANTY DEED

HERMAN L. JACQUEZ and PAULINE L. JACQUEZ, husband and wife, for consideration paid, grant...

to. ALVIN N. JACQUEZ, a single person,

whose address is P. O. BOX 27, GALLINA, NEW MEXICO 87017

the following described real estate in RIO ARRIBA County, New Mexico:

A tract or parcel of land, lying and being situate in the vicinity of Gallina, Section 17, Township 23 North, Range 01, East, N.M.P.M., being more particularly described as follows, to-wit:

The Southerly 5.375 acres, more or less of the land conveyed in Warranty Deed between Ricardo Jacquez, a/k/a Ricardo Jacquez and Carmelita C. Jacquez, his wife to Herman L. Jacquez on April 29, 1981, filed for record in Book 141, Page 4, records of Rio Arriba County, New Mexico, said land being more particularly bounded as follows: On the North by the 5.375 acre tract of the grantor, Herman Jacquez and Pauline L. Jacquez, his wife; on the South side by lands of Dorothy Jacquez, Mary Ann Jacquez and Leonard Jacquez; on the East by lands of Mary Ann Jacquez and Leonard Jacquez; on the West by the access road and lands of Alfred Wilson.

Being the Southerly 5.375 acres of the land described in Book 141, Page 4, records of Rio Arriba County, New Mexico.

with warranty covenants.
WITNESS my hand and seal this 1st day of March, 1990

(Seal) Herman L. Jacquez (Seal)

(Seal) Pauline L. Jacquez (Seal)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO

COUNTY OF RIO ARRIBA

{ ss.

The foregoing instrument was acknowledged before me this 1st day of March, 1990, by HERMAN L. JACQUEZ and PAULINE L. JACQUEZ, husband and wife.

(Name or Names of Person or Persons Acknowledging)

Notary Public

My commission expires: 1/25/95
OFFICIAL SEAL



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CLERK'S OFFICE	
AT 3:37 A.M. ON	
AT 3:37 A.M. ON	
Book 164 Page 117	
MAY 8 1990	
DAVID S. CHAVEZ	
County Clerk Rio Arriba County	
New Mexico	
By <i>David S. Chavez</i> Deputy	

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF

{ ss.

The foregoing instrument was acknowledged before me this day of , 19 by (Name of Officer)

(Name of Corporation Acknowledging) corporation, on behalf of said corporation.

My commission expires: 7/1/91
(Seal)
Notary Public



NEW MEXICO FIELD OFFICE